

January 09, 2020



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 20977

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATIONS:
  - a. This emergency special permit authorizes the transportation in commerce of low production lithium ion batteries contained in equipment (launch vehicle) in non-DOT specification packagings. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Maritime Dangerous Goods (IMDG) Code other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
  - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
  - d. This special permit serves as an "exemption" under Chapter 7.9, Section 7.9.1 of the IMDG Code (see IMO MSC/Circ. 1075-Granting Exemptions from the Provisions of the IMDG Code) and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180 and the IMDG Code.

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4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.185(a)(1) and Section 2.9.4.1 of the IMDG Code in that low production batteries have not passed the criteria in Part III, subsection 38.3 of the UN Manual of Tests and Criteria and § 173.185(b)(4) and paragraph (4) of Packing Instruction P903 of the IMDG Code in that the equipment is packaged within ISO containers or trailers instead of packagings, as provided herein.
5. BASIS: This emergency special permit is based on the application of Rocket Lab Limited dated November 27, 2019, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

<b>Hazardous Material Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Lithium ion batteries contained in equipment <i>including lithium ion polymer batteries</i>	UN3481	9	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING:

(1) The non-DOT specification packagings authorized herein are ISO containers or trailers, which contain launch vehicles or their disassembled sections with the installed batteries in accordance with the packaging specifications and descriptions as presented in Rocket Lab Limited's application on file with the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD) as highlighted in the following:

- (i) For transportation aboard vessel or by rail freight, the number and the energy content of the batteries in each section of the disassembled launch vehicle may not exceed those presented in

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the application on file with the OHMSAPD. Each section of the disassembled launch vehicle must be transported in one of three ISO container types not exceeding 40 feet in length.

(ii) For transportation by highway, the launch vehicle must be transported as a completed assembly which contains the number and the total energy content of the batteries as presented in the application on file with the OHMSAPD. The net weight of the batteries may not exceed 400 kg (882 pounds) in a trailer.

(2) The equipment (launch vehicle) containing lithium ion batteries installed must be firmly secured to the ISO container or the trailer, as appropriate, to prevent movement during transportation.

(3) The launch vehicle or its disassembled section must be sufficiently strong to provide protection of lithium ion batteries from damage under conditions incident to normal transportation.

b. LITHIUM BATTERY TESTING:

(1) The lithium ion cells comprising the batteries contained in equipment must be of a type that has passed the required tests in accordance with the UN Manual of Tests and Criteria, 6<sup>th</sup> Revised Edition.

(2) Lithium batteries contained in equipment with energy ratings as described in Rocket Lab Limited's application on file with OHMSAPD must have passed design qualification testing's as described in the application.

c. OPERATIONAL CONTROLS:

(1) Only low production lithium ion batteries contained in equipment (launch vehicle) may be offered for transportation under the terms of this special permit. The number of low production lithium ion batteries may not exceed that specified in Rocket Lab Limited's application on file with OHMSAPD

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(2) The design, types of cells, and cell connection configuration of each of the three types of batteries contained in equipment must be in accordance with Rocket Lab Limited's application on file with the OHMSAPD.

(3) Lithium ion cells and the batteries contained in equipment must be protected against short-circuiting.

(4) The batteries contained in equipment must be equipped with an effective means of preventing dangerous reverse current flow when a battery contains cells that are connected in parallel.

d. MARKING: Each package covered under the terms of this special permit must be durably and legibly marked and displayed on a background of contrasting color with "DOT-SP 20977".

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered for transportation in conformance with this special permit, the HMR, and the IMDG Code.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of the States of origin, transit, and destination of the consignment.

d. The grantee must maintain the following record and upon request make this record available to a DOT representative or an enforcement official. The record to be maintained is as follows:

(1) Dates of shipment; and

(2) Description of each type of shipment.

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9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
  - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous

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materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm) Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Steve H